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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
California Public Utilities Commission and)	NSD File No. 98-136
The People of the State of California Petition)	
for Delegation of Additional Authority)	
Pertaining to Area Code Relief and to)	
NXX Code Conservation Measures)	
)	
Massachusetts Department of)	NSD File No. 99-19
Telecommunications and Energy Request)	
For Additional Authority to Implement)	
Various Area Code Conservation Methods)	
In the 508,617, 781 and 978 Area Codes)	
)	
New York Department of Public Service)	NSD File No. 99-21
Petition for Additional Authority to)	
Implement Number Conservation Measures)	
)	
Maine Public Utilities Commission's)	NSD File No. 99-27
Petition for Additional Authority)	
To Implement Number Conservation)	
Measures)	
)	
Florida Public Service Commission's)	NSD File No. 99-33
Petition for Additional Authority)	
To Implement Number Conservation)	
Measures)	
)	
Implementation of the Local)	CC Docket No. 96-98
Competition Provisions of the)	
Telecommunications Act of 1996)	

**FURTHER COMMENTS
OF THE
UNITED STATES TELEPHONE ASSOCIATION**

The United States Telephone Association (USTA) has filed comments in each of the
above-captioned proceedings, opposing requests by states for additional authority to

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implement numbering conservation measures beyond their current delegation. In each instance, USTA has urged the Commission to take immediate, comprehensive action that affirms the industry processes underway for number conservation over the individual state requests. USTA was heartened when the Commission adopted its Notice of Proposed Rulemaking in CC Docket No. 99-200, Numbering Resource Optimization, (Notice)¹ as an indication that the Commission would decisively act and stave off the onslaught of individual state requests for relief. However, USTA is now deeply concerned that the Commission intends to take separate action on these state petitions prior to acting on the issues set forth in its Notice. It is this concern that prompts USTA to further comment.

The Commission must not be cajoled into taking action on unsubstantiated individual state requests that would sacrifice the national programs and the development of orderly national measures that provide the true solutions to the petitioners' problems. The Commission itself has prescribed a coherent process of administering numbering resources² that will actually benefit the states because the utilization of national numbering resources will be improved in an efficient, cost effective and consistent national structure. This process should be upheld and followed by all the parties.

While the states' petitions express concerns regarding assignment guidelines and enforcement, none of them adequately specify the level of actual facts or support that is required for relief from the Commission's general policies. If they had suggested innovative approaches to their problems that could yield beneficial results, the petitions would warrant consideration and possible investigation at the federal level. However, they

¹ FCC 99-122, released June 2, 1999.

² 47 C.F.R. Part 52.

do not contain such proposals, and in USTA's judgment they are almost exclusively asking for permission to rush ahead to deploy measures that are currently under development in the national forums. Implementation of these measures without full development has the potential of doing great harm by spawning multiple variants of these measures, and such action could severely impair the Commission's option to conduct a national program of uniform and effective number conservation and planning.

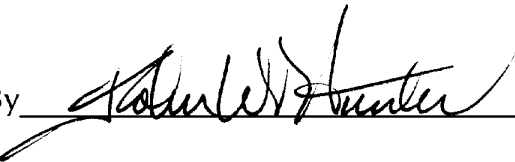
In addition, the measures that the states advance in the name of conservation cannot provide the relief needed. Planning for relief within the current constraints may be difficult, but it must be done. The states' best course of action, and the only one available at the present time, is to conduct the necessary relief planning and support the development of effective national conservation measures.

The Commission must adhere to its determinations that orderly national numbering conservation and administration approaches are essential to the overall optimization of the North American Numbering Plan. This will benefit the public, the carriers, competitors, and state regulators. If the Commission clears these petitions and concentrates its effort on deciding in a timely manner the critical nationwide issues of number optimization, the public will be served. In this regard, it is imperative that the Commission issue a decision on the issues raised in the Notice very soon, so that the number optimization measures can be advanced and the critical situation facing the carriers and the public can be addressed. However, if the Commission permits its federal policies and the industrywide planning efforts to be contaminated, it will jeopardize the entire national numbering system which would be contrary to the public interest.

In conclusion, USTA strongly believes that the Commission has ample evidence on the record before it to summarily reject the individual states' waiver petitions. To continue to consider those petitions in the context of the overall Numbering Resources Optimization proceeding sends a misguided signal of hope that the Commission may grant some of the requests and thereby divert the states from addressing their number conservation obligations. The unsubstantiated requests for additional authority should not be considered independently or prior to completing its rulemaking proceeding. Also, the Commission should reach a decision in its Numbering Resources Optimization proceeding expeditiously.

Respectfully submitted,

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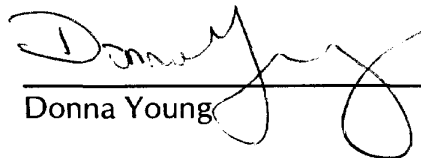
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CERTIFICATE OF SERVICE

I, Donna Young, do certify that on July 16, 1999, copies of the accompanying Further Comments of the United States Telephone Association were either hand-delivered, or deposited in the U.S. Mail, first-class, postage prepaid to the persons on the attached service list.



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